

Subject: FW: Hebshi v. United States, et al. --

From: "Calland, Shelli" <scalland@cov.com>

Date: 10/18/2013 10:57 AM

To: "T. Joseph Seward" <tjseward@cnda-law.com>, "Alan Havis (ahavis@airportdefender.com)" <ahavis@airportdefender.com>, Lindsey Kaczmarek <lkaczmarek@cnda-law.com>

CC: "Tremont, Sarah" <STremont@cov.com>, "Goodman, Rachel (rgoodman@aclu.org)" <rgoodman@aclu.org>, "msteinberg@aclumich.org" <msteinberg@aclumich.org>, "Whitman, Sarah (CIV)" <Sarah.Whitman@usdoj.gov>, "Paula L. Wegman" <pwegman@AMM-LAW.com>, "Brian T. Maye" <bmaye@AMM-LAW.com>, "Nemeth, Miriam (mnemeth@goodmanhurwitz.com)" <mnemeth@goodmanhurwitz.com>

Dear Counsel,

Although we are likewise fully prepared to litigate this case, we would like to see if the parties can salvage their tentative settlement agreement, especially given the many dozens of hours that we have devoted to the settlement process. It appears from Mr. Havis' email below that the WCAA CEO is the individual with final settlement authority for the WCAA defendants. Accordingly, we believe that the WCAA CEO should be present at the October 31 settlement conference -- and should have been present at the previous two settlement conferences -- as required by the Court's August 6 order that all parties appear at the settlement conference with "an authorized representative of each party with full and complete authority to make settlement decisions."

As you know, we are planning to file a motion to compel the attendance of the CEO at the October 31 settlement conference. However, we will refrain from filing that motion if the WCAA defendants will commit to bringing the CEO or another individual "with full and complete authority to make settlement decisions" to the October 31 settlement conference. If we do not hear from you by Tuesday, October 22 at 10 am, we will assume that the WCAA defendants will not make that commitment and will proceed with filing our motion.

Thanks,

Shelli

Shelli Calland | **COVINGTON & BURLING LLP**

1201 Pennsylvania Avenue, NW

Washington, DC 20004 | www.cov.com

scalland@cov.com

202.662.5480

This message is from a law firm and may contain information that is confidential or legally privileged. If you are not the intended recipient, please immediately advise the sender by reply e-mail that this message has been inadvertently transmitted to you and delete this e-mail from your system. Thank you for your cooperation.

From: Alan Havis [<mailto:ahavis@airportdefender.com>]

Sent: Thursday, October 10, 2013 9:46 AM

To: 'Whitman, Sarah (CIV)'; Rachel Goodman; 'Brian T. Maye'; 'Paula L. Wegman'; STremont@cov.com; mnemeth@goodmanhurwitz.com; msteinberg@aclumich.org; 'T. Joseph Seward'

Subject: Hebshi v. United States, et al. --

To all counsel:

The proposed tentative settlement on behalf of the Wayne County Airport Authority defendants required review and approval by the Airport Authority CEO. Please be advised that he has reviewed the proposal and has rejected it in total. As such, the WCAA defendants are prepared to move forward and litigate this matter and vindicate themselves. I will advise Judge Michelson's clerk accordingly.

Regards,

Alan B. Havis, Esq.